

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-108260-002 SE

04/30/2013

JUDGE PRO TEM JEFFREY A. RUETER

CLERK OF THE COURT
A. Pagel-Spaulling
Deputy

STATE OF ARIZONA

SHERRY KAY LECKRONE

v.

CYNTHIA LOUISE FITZGERALD (002)
DOB: 6/26/1954

LEGAL DEFENDER'S OFFICE

APO-SENTENCINGS-SE
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:20 a.m.

Courtroom 202 SE

State's Attorney:	Jacie Cotterell
Defendant's Attorney:	Scott Allen
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (AS AMENDED) SOLICITATION TO COMMIT ORGANIZED
RETAIL THEFT

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Class 6 UNDESIGNATED FELONY

A.R.S. § 13-1801, 1819, 301, 302, 303, 304, 604, 610, 701, 702, 707, 801, 802, 1002

Date of Offense: 2/18/2013

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 3 YEARS

To begin 4/30/2013.

Condition 2 – Not possess or control any stun guns, tasers, firearms, ammunition, deadly or prohibited weapons as defined in A.R.S. §13-603(K).

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning 6/1/2013.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on 6/1/2013.

All amounts payable through the Clerk of the Superior Court.

The Court retains jurisdiction for any future restitution hearings.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 1: Complete a total of 100 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

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Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 22: Other - Do not return to the scene of the crime. No contact with co-defendants without APO approval.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 2 and 3.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

9:28 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM JEFFREY A. RUETER
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)